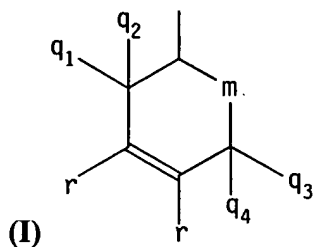


AMENDMENT

IN THE CLAIMS:

Amend claims 12, 30, and 61, as follows:

Subc37
12. (Twice amended) An oxygen scavenging composition, comprising:
a compound comprising a polymeric backbone, cyclic olefinic pendant groups, and
linking groups linking the olefinic pendant groups to the polymeric backbone; and
a transition metal catalyst;
wherein the cyclic olefinic pendant groups have the structure (I):

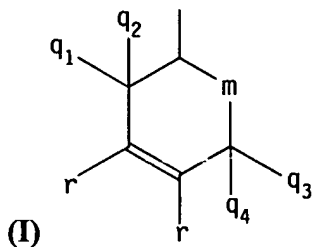


wherein q₁, q₂, q₃, q₄, and r are independently selected from hydrogen, methyl, or ethyl;
m is -(CH₂)_n-, wherein n is an integer from 0 to 4, inclusive; and, when r is hydrogen, at least one
of q₁, q₂, q₃, and q₄ is also hydrogen.

B2
30. (Twice amended) An article of manufacture suitable as a container, the
container inhibiting oxidation of contents of the container by removing oxygen from the
container and by inhibiting ingress of oxygen into the container from outside the container,
wherein the article comprises an oxygen scavenging composition which comprises

a compound comprising a polymeric backbone, cyclic olefinic pendant groups, and linking groups linking the olefinic pendant groups to the backbone, and a transition metal catalyst;

wherein the cyclic olefinic pendant groups have the structure (I):

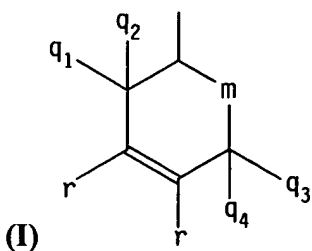


wherein q_1 , q_2 , q_3 , q_4 , and r are independently selected from hydrogen, methyl, or ethyl; m is $-(CH_2)_n-$, wherein n is an integer from 0 to 4, inclusive; and, when r is hydrogen, at least one of q_1 , q_2 , q_3 , and q_4 is also hydrogen.

61. (Twice amended) A layer suitable for scavenging oxygen, comprising:

(a) a compound comprising a polymer backbone;

[(b)] cyclic olefinic pendant groups wherein the cyclic olefinic pendant groups have the structure (I):



wherein q_1 , q_2 , q_3 , q_4 , and r are independently selected from hydrogen, methyl, or ethyl;
m is $-(CH_2)_n-$, wherein n is an integer from 0 to 4, inclusive; and, when r is hydrogen, at least one
of q_1 , q_2 , q_3 , and q_4 is also hydrogen; and

[(c)] linking groups linking the backbone with the pendant groups; and

[(d)] (b) a transition metal catalyst.

REMARKS

1. Status of the claims

Claims 1-2, 4-13, 15-31, 33-90, and 92-98 are pending.

2. Rejection under 35 U.S.C. §112, second paragraph

Claims 12-13, 15-31, and 33-77 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for referring to a "composition" or a "layer" comprising a "polymeric backbone."

Applicants present the above amendment to clarify that the composition or layer of these claims comprises a chemical compound having a polymeric backbone, cyclic olefinic pendant groups, and linking groups. Applicants therefore request the rejection be withdrawn.

3. Rejection under 35 U.S.C. §103(a)

Claims 1-2, 4-13, 15-31, 33-90, and 92-98 are rejected under 35 U.S.C. §103(a) as being unpatentable over Ching et al., U.S. Patent No. 5,859,145 ("Ching") in view of Pampus et al., U.S. Patent No. 3,873,644 ("Pampus"). Specifically, the Examiner alleges Ching teaches the